

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

NANCY R. MALEK and
FARROKH MALEK,

Defendant.

ORDER

06-cr-118-bbc

A telephone hearing was held in this case on October 1, 2008, before United States District Judge Barbara B. Crabb. Heidi Luehring, Assistant United States Attorney appeared for the government. Mark Eisenberg appeared on behalf of Farrokh Malek and Hal Harlowe appeared on behalf of Nancy Malek.

Counsel agreed that the matter would proceed by summary judgment. The government may have until October 31, 2008, in which to file its brief and proposed findings of fact. Defendants may have until November 21, 2008, in which to file their briefs in opposition, together with their proposed findings of fact and responses to the government's proposals. The government may have until December 1, 2008 for its reply

brief. If the matter cannot be resolved by summary judgment, an evidentiary hearing will be held.

Ms. Luehring stated that counsel would be meeting on October 7, 2008 in order to go over discovery. It may be necessary for Mr. Eisenberg to file a motion to permit him to view grand jury documents.

Entered this 1st day of October, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge